

The Gazette



of India

EXTRAORDINARY

PART I—Section 1

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as a separate compilation

MINISTRY OF COMMERCE

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 1st December, 1964

SUBJECT:—*Import of Cotton Seed Oil and/or Soybean Oil from U.S.A. under the Agricultural Commodities Agreement signed on 30th September, 1964 between the Government of the United States of America and the Government of India under Title I of the U.S. Agricultural Trade Development and Assistance Act, as amended (PL. 480)—Purchase Authorisations No. 39-131 and No. 39-131-OT both dated the 19th October, 1964.*

No. 96-ITC(PN)/64.—The following procedure is prescribed and will come into force with immediate effect for import of Cotton Seed Oil and/or Soybean Oil from the U.S.A. under the Agreement mentioned above.

2. The import permit (hereinafter referred to as sub-authorisation) will be granted in the form as in Annexure I and will be governed by the conditions set forth in this notice and in Annexures II, III, IV and V hereto. Particular attention is invited to the "Special Provisions" set out in Appendices II and IV. Any further conditions that may become necessary to govern the imports of Cotton Seed Oil/Soybean Oil from U.S.A. will be published from time to time through the official gazette of India.

3. (a) Applications should be made on Form 'B' prescribed under Appendix 6 of the Import Trade Control Policy Book for the licensing period April, 1964—March, 1965.

(b) Application form should clearly state the contracting and shipping period on the following basis:—

"Cotton Seed Oil/Soybean Oil to be contracted for between 26th October, 1964 and 31st March, 1965 (inclusive), for shipment between the 26th October, 1964 and 30th April, 1965 (inclusive)".

(c) A bank guarantee in the following form should be attached with the application form:—

"We hereby guarantee that in respect of the Cotton Seed Oil/Soybean Oil imported under the sub-authorisation (import permit) granted in terms of this application, the rupee equivalent of the dollar disbursement representing the net f.o.b. commodity cost in the invoice, made by the U.S. Bank under the letters of credit established against the

letter of commitment issued by the C.C.C., at the dollar ready selling rate of exchange for drafts and T. T. prevalent on the date of dollar disbursement by the U.S. designated bank as indicated in the U.S. dollar rate list circulated by the Foreign Department of the State Bank of India, Calcutta, will be deposited in the account 'The U.S. Disbursing Officer, American Embassy, New Delhi' in the Reserve Bank of India, New Delhi, immediately on receipt of the shipping documents. We also guarantee that the rupee equivalent of the dollar amount representing the ocean transportation which is initially paid by the U.S. designated bank against letters of credit established against ocean transportation purchase authorisation No. 39-131-OT assigned to that bank and which is subsequently reimbursed by C.C.C. (which will exclude freight differential, if any) at the dollar ready selling rate of exchange for drafts and T. T. prevalent on the date of reimbursement of the dollar amount by the C.C.C. to the U.S. designated bank as indicated in the U.S. dollar rate list issued by the State Bank of India, Foreign Department, Calcutta, will be deposited in the account 'the U.S. Disbursing Officer, American Embassy, New Delhi, in the Reserve Bank of India, New Delhi, immediately upon receipt of notification from the U.S. designated bank'.

(d) Applications (in triplicate) duly filled in, as required in the Import Trade Control Policy Book for the licensing period April, 1964—March, 1965 should be despatched by the Registered post with acknowledgment due, to the Chief Controller of Imports and Exports, New Delhi through the Directorate of Sugar and Vanaspati, Ministry of Food and Agriculture, Jamnagar House, New Delhi.

4. As soon as sub-authorisation is issued, the importer should request the nominated bank in India to arrange for issuance of the letter of credit on the designated U.S. Bank, viz., First National City Bank of New York through the Directorate of Sugar and Vanaspati, New Delhi, for the commodity cost against PA. No. 39-131 and Ocean transportation against PA. No. 39-131-OT. The Directorate of Sugar and Vanaspati will inform the American bank concerned of the authority for opening letter of credit by the Indian bank, indicating the relevant PA. No., sub-authorisation No., amount and other details. The Indian bank will then arrange with the designated U.S. Bank for the establishment of letters of credit in favour of the supplier/carrier concerned within the amount allocated. The cables and/or Air-mail charges that may be incurred by the Directorate of Sugar and Vanaspati in connection with the issuance of the letters of credit on the U.S. bank will be on the importer's account.

5. The shipping documents will, as usual, be sent by the U.S. Bank to the importers' bank in India. Immediately upon receipt of these documents, the bank in India should credit into the account of the U.S. Disbursing Officer, American Embassy, New Delhi in the Reserve Bank of India, New Delhi, the rupee equivalent of the dollar disbursement representing the net f.o.b. commodity cost in the invoice, made by the U.S. bank under the letters of credit established against the letter of commitment issued by C.C.C. at the dollar ready selling rate of exchange for drafts and T.T. prevalent on the date of each dollar disbursement by the U.S. bank. Similarly, immediately upon receipt from the U.S. designated bank of notification of reimbursement by C.C.C., the bank in India should credit into the account of the U.S. Disbursing Officer, American Embassy, New Delhi in the Reserve Bank of India, New Delhi, the rupee equivalent of the dollar amount representing the ocean transportation (excluding freight differential, if any) reimbursed by the C.C.C. against ocean transportation Purchase Authorisation No. 39-131-OT assigned to that bank, at the dollar ready selling rate of exchange for drafts and T.T. prevalent on the date of reimbursement of the dollar amount by the C.C.C. to the U.S. designated bank. In either case, the rate of exchange aforesaid will be the rate indicated for that date in the U.S. dollar rate lists circulated by the Foreign Department of State Bank of India, Calcutta.

6. As soon as the rupee equivalent of the net f.o.b. commodity cost and/or the net ocean transportation cost is credited into the U.S. Account, the Banks in India must inform the Directorate of Sugar and Vanaspati, Ministry of Food and Agriculture, Jamnagar House, New Delhi, accordingly enclosing the receipts from the Reserve Bank of India, New Delhi, and furnishing the following further information:—

For rupee deposits for commodity cost

(i) Name of the importer.

(ii) Purchase Authorisation Number.

- (iii) Sub-authorisation Number.
- (iv) Letter of Credit Number.
- (v) Name of Vessel.
- (vi) Quantity of Cotton Seed Oil/Soybean Oil covered by the dollar disbursement.
- (vii) Dollar amount disbursed by U.S. Bank.
- (viii) Date of Dollar Disbursement by the U.S. Bank.
- (ix) Applicable exchange rate current on the date of dollar disbursement, as notified by the Foreign Department of the State Bank of India, Calcutta.
- (x) Rupee equivalent of the dollar disbursement calculated at the rate of exchange current on the date of dollar disbursement as notified by the Foreign Department of the State Bank of India, Calcutta.
- (xi) Amount of Rupees deposited.
- (xii) Date of deposit of rupees.

For rupee deposits for Ocean Transportation.

- (i) Name of the Importer.
- (ii) Purchase Authorisation Number.
- (iii) Letter of Credit Number.
- (iv) Sub-authorisation Number.
- (v) Name of the Vessel.
- (vi) Quantity of Cotton Seed Oil/Soybean Oil in respect of which the transportation cost has been reimbursed by C.C.C. in dollars.
- (vii) Dollar amount reimbursed by C.C.C.
- (viii) Date of dollar reimbursement by C.C.C.
- (ix) Exchange rate current on the date of dollar reimbursement as notified by the State Bank of India, Foreign Department, Calcutta.
- (x) Rupee equivalent of the dollar reimbursement by C.C.C. (after deducting the ocean freight differential, if any) calculated at the rate of exchange current on the date of dollar reimbursement as notified by the State Bank of India, Foreign Department, Calcutta.
- (xi) Amount of rupees deposited.
- (xii) Date of deposit.
- (xiii) Amount of foreign currency remitted from India for freight not financed by the C.C.C.

This information should also be repeated to the Disbursing Officer, U.S. Embassy, New Delhi (in duplicate). It will be the sole responsibility of the importer and/or his bankers in India to deposit the correct rupee amount in the U.S. Disbursing Officer's Account. The bank guarantees will be released by the Chief Director, Directorate of Sugar and Vanaspati only after verification of the rupee deposits made in the U.S. Disbursing Officer's Account with the Reserve Bank of India, New Delhi, for cost/transportation of the Cotton Seed Oil/Soybean Oil.

7. (a) No contract entered into before 26th October, 1964 will be eligible for being financed under the Purchase Authorisations No. 39-131 and No. 39-131-OT.

(b) Contract must be made on or before 31st March, 1965 at a fixed price. Also it should be registered in the Directorate of Sugar and Vanaspati, New Delhi.

8. (a) The importers should send to the Chief Director, Directorate of Sugar and Vanaspati, New Delhi and Agricultural Attache, U.S. Embassy, New Delhi a copy each of the impartial Controller's Report or Arbitrator's Report, if any, and the Debit note in respect of claims for damage or deficiency.

(b) All claims by importers for adjustment refunds arising out of the terms of the contract or out of the normal customs of the trade, including arbitration and appeal awards, amicable allowances and claims for overpayment of ocean transportation shall be settled by payment in United States Dollars and such payment shall be remitted by the supplier for the account of the importer to the concerned bank in India of the importer. This bank is to be named by the importer on his notice of claim. *It is imperative that importers should receive the dollar claims in India and should in no case arrange for their being credited to their accounts with the*

suppliers. Immediately upon settlement of claim for damage and deficiency in quality and weight, the importer should notify the Directorate of Sugar and Vanaspati of the details in the form as per Annexure III duly endorsed by the bank with whom dollar amounts have been deposited.

9. The importer and/or the bank concerned must furnish the Directorate of Sugar and Vanaspati any information which it may require in connection with the import of Cotton Seed Oil/Soybean Oil under the above mentioned programme.

10. The issue of sub-authorisation will be stopped immediately the monetary ceiling allocated for this purpose is reached.

11. Subject to any change that may be deemed necessary and which will be notified at the appropriate time, the procedure herein prescribed shall apply *mutatis mutandis* to all further Purchase Authorisations for import of Cotton Seed Oil and/or Soybean Oil that may be issued under the Agricultural Commodities Agreement of 30th September 1964.

ANNEXURE—I To PUBLIC NOTICE No. 96-ITC(PN)/64, DATED 1st DECEMBER, 1964.
SUB-AUTHORISATION NO. DATED
(Issued under Purchase Authorisation No. 39-131, dated the 9th October 1964).

GOVERNMENT OF INDIA

(IMPORT TRADE CONTROL)

IMPORT PERMIT

(Cotton Seed Oil/Soybean Oil imports from U.S.A.)

Issued under the provisions of Import & Export Control Act, 1947, as amended from time to time and without prejudice to the application or any other prohibition or regulation affecting the importation of Cotton Seed Oil or Soybean Oil as the case may be which may be in force at the time of its arrival.

The Government of India are pleased to permit—

Messrs:

Address:

Income-Tax Verification No.

to import Cotton Seed Oil/Soybean Oil to the extent indicated below subject to the conditions prescribed in C.C.I. & E. Public Notice No. ITC(PN)/64, dated and any other conditions that may further be prescribed in this behalf by the Government of India from time to time through official Gazette.

Description of	(Approx.) of
Commodity:	

Metric Tons
Prime Bleachable Summer
Yellow Cotton Seed Oil/
Crude Degummed Soybean Oil/
Once-refined Soybean Oil.

Source: U.S.A.

Contracting period from October 26, 1964 ending March 31, 1965
Delivery period from October 26, 1964 ending April 30, 1965

Amount of Dollars sub-authorised: U.S. Dollars

Rupee equivalent: Rs.

Banking Institutions to handle financing

Bank in India

U.S. Bank

Basis of Delivery

Port of entry into India

Limiting factor for purposes of
clearance through customs

Value only,

Chief Controller of Imports & Exports,
New Delhi.**ANNEXURE—II TO PUBLIC NOTICE No. 96-ITC(PN)/64 Dt. 1-12-64****. General:**

(a) For imports under this programme the sub-authorisation will be issued in duplicate, one for customs and the other for the rupee payments.

(b) The sub-authorisation is not transferable except with the permission of the Chief Controller of Imports and Exports, New Delhi or a person duly authorised by him.

(c) Any unauthorised alteration or erasure in this permit shall render it null and void.

(d) No remittance of foreign exchange whatsoever is to be made against the sub-authorisation except to the extent specified in para 2(e)(ii) below but the importer is required to deposit the rupees as specified in the notice.

(e) The Chief Controller of Imports & Exports, New Delhi may supplement, modify or revoke the sub-authorisation at any time under special consideration.

. Special Provisions:

(a) Imports under this programme will be limited to any or all of the following three grades and qualities of cottonseed oil/soybean oil:—

(i) Prime bleachable Summer Yellow cottonseed oil, as defined in Rule 162 of the Trading Rules (1964-65) of the National Cottonseed Products Association of U.S.A.

(ii) Crude degummed soybean oil

(iii) Once-refined soybean oil

} as defined in Sections 3-A and 3-B respectively of Rule 103 of the Year Book and Trading Rules (1964-65) of the National Soybean Processors Association of the U.S.A.

(b) The oil shall be ordinarily imported in bulk. Where not so imported, shall be packed in 50/55 gallon new steel drums only.

(c) The drawing of samples and laboratory analysis shall, in all cases, be performed by the Inspection Branch, Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture.

(d) The importer shall procure and forward to the Directorate of Sugar and Maspati, Ministry of Food and Agriculture, Jamnagar House, New Delhi, as soon as possible after each shipment of oil is effected, the following documents relevant to that shipment:—

(i) One copy each of the following shipping documents:—

(a) Supplier's detailed invoice showing quantity, description, contracted price (f.o.b.) and net invoice price (expressed in dollars) of the community, and where the ocean transportation is financed under the Purchase Authorization No. 39-131-OT, the additional certificate required under para 3(c) thereof.

- (b) Ocean bill of lading showing freight prepaid/payable and basis thereof.
- (c) Insurance certificate.
- (ii) One copy of the Commodity Inspection Certificate (GR-133) issued by the Inspection Branch, Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture.
- (iii) In the case of bulk oil—one copy of weight Certificate or Survey Report conforming to the requirement under para 4(d) of the Purchase Authorisation No 39-131. In case of oil in drums—one copy each of (a) Weight Certificate and (b) Independent Surveyor's Certificate, stating that the drums were new, and otherwise conforming to the requirement under para 4(e) of the Purchase Authorisation No. 39-131.
- (iv) a certificate, in duplicate, from the supplier stating that only a food-grade solvent approved by the Food and Drug Administration of the U.S.A. for use in the extraction of vegetable oils for edible purposes, has been employed for extraction of the oil under shipment.
- (e) The purchase and import of cottonseed oil/soybean oil under this programme shall be effected solely by the Vanaspati Manufacturers' Association of India, India House, Fort Street, Bombay-1, and the oil so imported shall be allocated by the said Association to its member-factories and to such other vanaspati manufacturers as are not members of the Association on mutually acceptable terms and in accordance with the directions of the Directorate of Sugar and Vanaspati.

3. Contract with Suppliers (Exporters) and Carriers:

(a) No contract entered into before 26th October, 1964 will be eligible for being financed under this sub-authorisation.

(b) Contracts must be made on or before 31st March, 1965 at a fixed price.

(c) The importer should inform the suppliers that the transaction will be financed in terms of the Agricultural Commodities Agreement between the Government of the United States and the Government of India signed on 30th September 1964 under the United States Public Law 480. The importer, the supplier and the carrier must strictly follow the Regulations governing the Sales of Agricultural Commodities for Foreign currencies issued by the U.S. Department of Agriculture as amended from time to time. The importer should also intimate to the supplier/carrier the relevant Purchase Authorisation Numbers and instruct him of the special provisions for carrying out the transactions.

The value of the Cottonseed Oil/Soybean Oil imported should, in no case, exceed the dollar amount sub-authorised.

(d) Within a week of the expiry of the contracting period mentioned in the sub-authorisation, the importer shall report to the Directorate of Sugar and Vanaspati, the total value of the goods contracted for, mentioning the Serial No. of the sub-authorisation.

(e) Contracts for the procurement of the Commodity shall be separate and apart from the ocean transportation contract. The importer must advise the supplier that at least 50 per cent of the tonnage of the commodity purchased hereunder must be shipped on privately owned United States Flag Commercial Vessels. For full instructions in this connection please refer to para 6 of Purchase Authorisation No. 39-131 annexed hereto according to which advance approval of characters and booking must be obtained from the Director, Programme Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington D.C., 20250. Further procedure will be as below:—

- (i) *Ocean Transportation for consignments required to be shipped by U.S. Flag Vessels.*—In this case the ocean transportation will be paid initially by the U.S. designated bank against letters of credit established against ocean transportation purchase Authorisation No. 39-131-OT assigned to that bank, who will get it reimbursed from the C.C.C. The approval obtained by the supplier for vessel booking will state the amount of ocean freight differential, if any, which the C.C.C. will recognise and absorb as existing between the prevailing foreign flag vessel rate and the U.S. flag vessel reimbursed separately by C.C.C. and will not be included in the dollar amount of reimbursement for which rupees have to be deposited into the U.S. Disbursing Officer's Account.

(ii) *Ocean transportation for consignments not required to be shipped on U.S. flag vessels.*—Ocean freight on such transportation will not be reimbursed by the C.C.C. against P.A. No. 39-131-OT and will have to be remitted by the importer through his bank in India for which necessary foreign exchange will be made available to the importer.

(f) The importer shall advise the shipper to airmail at the time of lading two copies of photostats of the ocean or charter party bill of lading or airway bill to the Directorate of Sugar and Vanaspathi, Ministry of Food and Agriculture, New Delhi.

(g) The contract for the commodity with the supplier should provide that payment shall be by cash against sight draft supported by necessary documents on a banking institution, indicated in the sub-authorisation, in the U.S.A.

(h) *Other conditions will be as specified in purchase Authorisation No. 39-131 and 39-131-OT annexed hereto—(and marked as annexures IV and V respectively). The Importer should fully familiarise themselves with all the regulations and provisions of the purchase Authorisations and inform the suppliers (exporters/carriers) accordingly with a view to ensure that none of the regulations governing the sales of agricultural commodities issued by the USDA are violated. This is important.*

4. Purchase Price:

The purchase in U.S.A. can be made freely at the prevailing U.S. market price.

ANNEXURE—III To PUBLIC NOTICE No. 96-ITC(PN)/64 DATED 1-12-64

Statement showing position of claims received by the Importers in India in respect of cottonseed

Serial No.	Name of the Importer	Sub-authorisation No.	No. and date of Supplier's Invoice relating to the shipment	Invoice Value in ₹
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1	2	3	4	5

Oil and/or Soybean oil Imported Against P.A. No. 39-131 under Public Law 480

DETAILS OF CLAIMS					Whether the amount mentioned in col. 9 received in India in US Dollars and deposited in the importers Bank	Equivalent rupee amount credited to Importers accounts indicating rate of Exchange	Remarks
Rate of Exchange at which rupee deposits were made \$100-Rs.	Debit Note No. & date	Amount claimed \$	Amount paid \$	Reasons for claim or adjustment			
6	7	8	9	10	11	12	13

ANNEXURE IV—To PUBLIC NOTICE No. 96-ITC(PN)/64 DATED 1-12-1964

F.G. FORM 480-A (2-1-60)

FOREIGN AGRICULTURAL SERVICE,
UNITED STATES DEPARTMENT OF AGRICULTURE,
WASHINGTON 25, D.C.

COUNTRY— INDIA

AUTHORISATION NO. 39-131

AUTHORISATION TO PURCHASE
SURPLUS AGRICULTURAL COMMODITIES
FOR FOREIGN CURRENCY

AGREEMENT DATE September 30,
1964

(Title 1, P.L. 480)

BASED ON APPLICATION NO. 39-131-A		DATED October 9, 1964	AUTHORISED AMOUNT \$8,850,000
DESCRIPTION OF COMMODITY Cotton seed oil and/or Soybean Oil (as described in Section I of the attached Special Provisions).		CONTRACTING PERIOD	
		FROM OCT 26, 1964	TO MARCH 31, 1965 (inc.)
		DELIVERY PERIOD	
		FROM OCT 26, 1964	TO April 30, 1965 (incl.)

The importing country is hereby authorised to enter into contracts for the agricultural commodity named above subject to the provisions of the Regulations Governing the Financing of Commercial Sales of Surplus Agricultural Commodities for Foreign Currencies (24 Federal Register 8825) and any amendments thereto in effect on the date hereof, and subject to the terms, conditions, and special provisions specified herein or attached hereto.

1. Commodity Credit Corporation will finance the procurement of the above commodity by issuing Letters of Commitment, not in excess of the

ANNEXURE IV—*contd.*

amount indicated above, to the United States banking institutions designated by the importing country.

2. This authorization is based on application number shown above. The representations, assurances, and conditions set forth in that application are incorporated herein.

SIGNATURE FOR THE ADMINISTRATOR FOREIGN AGRICULTURAL SERVICE U.S. DEPARTMENT OF AGRICULTURE.

sd/- Dan. L. Turney

DATE OF ORIGINAL AUTHORIZATION

OCT 19, 1964.

ACCEPTANCE OF THE IMPORTING COUNTRY

This authorisation is hereby accepted.

For THE GOVERNMENT OF INDIA

BY (AUTHORISED SIGNATURE)

DATE OCT 19, 1964.

Special Provisions:

1. **Quantity and Commodity.**—Approximately 30,000 metric tons of cottonseed oil and/or soybean oil and products thereof in 50/55 gallon drums or wooden barrels, bulk, or flakes in bags. Oleomargarine (margarine) will not be eligible for financing under this purchase authorisation.

2. **Contracting.**—Only contracts entered into between importer(s) and suppliers on or after 7 calendar days after the date of issuance of this authorization, and on or before March 31, 1965 will be eligible for financing hereunder. The Government of India shall instruct its importers to contract in accordance with the Regulations and the provisions of this authorization.

- (a) The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, United States Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- (i) Supplier's name and address.
- (ii) Purchase authorization number.
- (iii) Name of importer.
- (iv) Sales contract or order number, if any.
- (v) Date of sale.
- (vi) Complete commodity description—(contract specification).
- (vii) If other than bulk shipment, show complete pack and package material specification.
- (viii) Quantity expressed in contract units and pounds.
- (ix) Price per contract unit and per pound.

ANNEXURE IV—*contd.*

- (x) Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes or St. Lawrence River ports and any option to be exercised by the exporter and/or foreign importer).
- (xi) Contract delivery schedule.
- (xii) Name and address of sales agent, if any.
- (xiii) Percentage of sales commission, if any, included in price.
- (xiv) A statement as to whether the supplier is, or is not, an affiliate of the importer.
- (xv) If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by Section 11.11 of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter and by telephone if requested from the Office of the General Sales Manager promptly after receipt of the notification of sale as to whether or not price and commission are approved for financing.

- (b) Contracts between suppliers and importers made subject to this purchase authorization shall be deemed to be conditioned on the approval of the contract price(s) by the Foreign Agricultural Service, United States Department of Agriculture.
 - (c) Purchases under this authorization may be made through negotiation with a supplier or suppliers of the importer's choice, or by requesting the submission of competitive offers. If competitive offers are requested, the importer's requests shall not limit the right to submit offers to any specified group or class of suppliers, but shall permit submission of offers by any supplier qualified under Section 11.4(c) (2) of the Title I, Public Law 480 Regulations.
 - (d) *Quality.*—In the case of cottonseed oil, quality description shall be as defined in the National Cottonseed Products Association Rules that are in effect on the date the contract is made or as defined in Federal Specification No. JJJ-S-30b (salad oil, vegetable), as amended, or as defined in Federal Specification No. EE-S-321b (Shortening Compound and Lard). In the case of soybean oil, quality description shall be defined as in the Trading Rules of the National Soybean Processors Association that are in effect on the date the contract is made, or as defined in the above-mentioned Federal Specifications.
 - (i) The chemical analysis to determine quality shall include the qualitative test for fish oil and marine animal oils as prescribed by AOAC Method No. 26.062.
 - (ii) *Approval of Specification and Containers.*—The specification for cottonseed oil and soybean oil and products thereof (except margarine), and containers if applicable, are to be furnished to the Program Operations Division, Foreign Agricultural Service, United States Department of Agriculture, Washington, D.C. 20250, by the importing country for approval prior to requesting offers from and entering into contracts with U.S. suppliers. (If the commodity is to be purchased in drums they must be new or reconditioned drums, if in barrels they must be new barrels, and if in bags, state the type, size and weight of the bags.)
 - (iii) Ten (10) days prior to sampling the supplier must furnish contract specifications regarding quality, in duplicate, to the Program Operations Division, FAS, USDA, Washington, D.C., 20250, together with a citation to the name and address of the person, firms or agency that will perform the sampling and analysis service and the location of the oil and dates available for sampling.
- (e) *Sampling and Analysis:*
- (i) The drawing of samples and laboratory analysis may be performed by the Inspection Branch, Grain Division, AMS, USDA, or by independent surveyor(s) and commercial laboratories mutually agreeable to the importer and the supplier.

ANNEXURE IV—contd.

- If the services are performed by independent surveyor(s) and commercial laboratories, FAS may at any time request the Inspection Branch, Grain Division, AMS, USDA to draw check samples and perform check analysis. The cost of such sampling and analyses will be for the account of CCC.
- (ii) *Bulk Oil*.—In the case of bulk oil, the samples shall be obtained in accordance with American Oil Chemists Society Method C 1-47.
- (iii) *Drums or Barrels*.—In the case of oil in drums, or barrels, samples shall be drawn, not more than 30 days prior to onboard date shown on the ocean bill of lading, while the containers are being filled.
- (iv) *Flakes in Bags*.—In the case of flakes in bags, samples shall be drawn from 10 percent of bags selected at random at the time and point of loading to vessel.
- (f) *Weighing*.—Determination of weight shall be by an independent weighmaster or independent surveyor.
- (i) *Bulk Oil*.—The weight shall be determined at the time of loading aboard vessel.
- (ii) *Oil in Drums, Barrels or Bags*.—The weight of the oil exported shall be determined at time of filling containers.
- (g) *Surveying of Containers*:
- (i) *Bulk Oil*.—Each tank into which the oil is to be loaded shall be examined by an independent surveyor prior to loading to determine that the tank(s) is clean and otherwise suitable for receipt of the oil.
- (ii) *Oil in Drums*.—Drums shall be examined, prior to filling, by an independent surveyor. The drums shall be new or reconditioned and shall be rejected if (1) mechanically unsound, (2) contaminated with previous contents, or (3) printed with labels or markings for other commodities. The weight of each drum shall be determined at the time of inspection for the purpose of establishing the tare weight.
- (iii) *Oil in Barrels*.—Barrels must be new and shall be examined prior to filling by an independent surveyor. They shall be rejected if mechanically unsound, or printed with labels or markings for other commodities. The weight of each barrel shall be determined at the time of inspection for the purpose of establishing the tare weight.
- (iv) *Flakes in Bags*.—Suitability of the bags for export and compliance with contract specifications shall be determined by an independent surveyor.
- (h) *Markings requested by the importer* shall be stenciled on the drums, barrels or bags and shall include the name or symbol of the supplier and PA No. 39-131 (India).
- (i) Where an agency or corporation owned or controlled by the Government of the importing country is acting as supplier, CCC financing of commodity shall not be in excess of the initial cost to such agency for acquisition from U.S. sources, plus any cost of transportation to point of loading to vessel which is not included in the initial cost of such agency.
- (j) No commission paid, or to be paid, to any agency or corporation owned or controlled by the Government of the importing country will be eligible for financing, whether included in the price of the commodity or separately stated.
- (k) In the event CCC is unable to ascertain the prevailing range of export market prices for the commodity as provided for in Section 11.11 of the Title I, Public Law 480 Regulations, CCC will determine a maximum export market price for the commodity at the time of sale for the time and place of delivery, utilizing, as needed available domestic

ANNEXURE IV—contd.

or export market information for the same or other, quality descriptions, packagings, locations, and dates applying appropriate market differentials where applicable and such other factors as would be reflected in the export market price at the time of sale for the time and place of delivery, taking into account CCC export sales prices where appropriate.

(l) The supplier shall state in Block 21 of CCC Form 329 the delivery periods or dates and quantities covered by the entire contract.

(m) The supplier shall state in Block 21 of CCC Form 329 either: "I am an affiliate of the importer," or "I am not an affiliate of the importer."

3. **Delivery.**—To importer, f.a.s. vessel U.S. port(s) in the case of oil in drums, wooden barrels or flakes in bags and f.o.b. vessel, U.S. port(s) in the case of bulk oil. Shipments from U.S. port(s) may be made on or after 7 calendar days after the date of issuance of this authorization but not later than April 30, 1965.

4. **Documentation.**—The documentation required by the Regulations, except Section 11.9(a) (9) (viii) (a), (b), (c), and (d), and the following:

(a) A copy of the letter, signed by the General Sales Manager, Deputy General Sales Manager or Assistant General Sales Manager, Foreign Agricultural Service, United States Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract.

The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed copy of the notification of price and commission approval was submitted to (Name of U.S. bank) with documents covering Invoice No. _____ dated _____ for \$ _____."

(b) One copy of a Commodity Inspection Certificate (GR-133) issued by the Inspection Branch of the Grain Division, Agricultural Marketing Service, USDA;

OR

One copy of a Chemical Analysis Certificate issued by a commercial laboratory which shall bear the following certification:

"The undersigned hereby certifies that the Chemical Analysis Certificate was issued as a result of the analysis of samples taken by independent surveyor(s), and that such chemical analysis was performed in accordance with the procedure prescribed in the Trading

Rules of the National Soybean Processors Association, or in the Trading Rules of the National Cottonseed Products Association."

- (i) The Commodity Inspection Certificate (GR-133):

OR

The Chemical Analysis Certificate shall state that the oil met contract specifications as approved by FAS/USDA, and, if shipped in containers, the certificate shall state that markings are in conformance with this authorization and shall also show other markings appearing thereon.

- (c) If the chemical analysis on bulk oil is performed by a commercial laboratory, one copy of a certificate of the sampler or inspection stating that the samples were drawn in accordance with American Oil Chemists Society Official Method C 1-47.

- (d) In the case of oil in bulk:

- (i) One copy of Weight Certificate or Survey Report issued by an independent weighmaster or by an independent surveyor.

- (ii) The Weight Certificate or Survey Report shall state that the ship's tank(s) was examined and found suitable for receipt of the oil.

- (e) In the case of oil exported in drums, barrels, or bags:

- (i) One copy of Weight Certificate.

- (ii) In the case of oil in drums, one copy of an independent surveyor's certificate stating that the drums were either new or reconditioned, and that the drums were in conformance with contract specifications, and the provisions of Section 2(g)(ii) of this authorization were complied with.

- (iii) In the case of oil in barrels, one copy of an independent surveyor's certificate stating that the barrels were new, and that the barrels were in conformance with contract specifications, and the provisions of Section 2(g)(iii) of this authorization were complied with.

- (iv) In the case of flakes in bags, one copy of an independent surveyor's certificate stating that the bags were new or used and that the bags were in conformance with contract specifications and were suitable for export.

- (f) The supplier must present documentation required by CCC to the U.S. bank for immediate payment or for acceptance of a time draft. No transaction under a letter of credit, which provides for deferred presentation of documentation required by CCC, shall be eligible for financing.

- (g) The CCC copy of the supplier's detailed invoice shall include the following certification:

"The undersigned hereby certifies that the commodity for which payment is claimed herein was not acquired by the supplier from Anthony DeAngelis, Adolf Gobel, Inc., Allied Crude Vegetable Oil Refining Corporation, Atlantic Industries and Terminal, Inc., Chicago Refining Corporation, Continental Refining & Packaging Company, Inc., Eastern Edible Refining Corporation, Metropolitan Fats and Oils Company, Inc., Metropolitan Shortening Corporation, Queens Shortening and Refining Corporation, Riverside Shortening Corporation, Shortening Corporation of America, Inc., Trans-World Refining Corporation, or Universal Automated Industries, Inc."

5. Deposit of Local Currency.—The amount of India rupees to be deposited by the Government of India with the United States Disbursing Officer, United States Embassy, New Delhi, India, shall be equivalent to the dollar sales value of the commodity financed by the Government of the United States, converted into Indian rupees at the rate for dollar exchange applicable to commercial import transactions on the date of dollar disbursements. Deposits shall be made in accordance with Section 11.4(d)(10) of the Regulations. The documentation to be furnished to the United States Disbursing Officer for each deposit shall be in duplicate.

6. Ocean Transportation.—Unless otherwise authorized by the Director, Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250, at least 50 percent of the tonnage of the commodity purchased hereunder will be required to be shipped on privately-owned United States-flag commercial vessels in accordance with the provisions of Public Law, 664, 83rd Congress. Advance approval of charters and bookings must be obtained. This may be done by telephone (DUDley 8-4314 or DUDley 8-4315) or telegram provided CCC Form 105 confirming the information supplied by telephone or telegram is furnished promptly. CCC Form 106, "Advice of Vessel Approval," will be issued by USDA for each vessel approved and will indicate whether or not the cost of ocean transportation will be financed by CCC, and whether or not a Notice of Arrival will be required as a condition of payment. If the CCC Form 106-2 indicates that the cost of ocean transportation will be financed by CCC, the Government of India may obtain reimbursement for such ocean transportation costs under ocean transportation authorization No. 39-131-OT.

7. ASCS Office.—The ASCS Office which will administer this financing operation on behalf of CCC is:

New York Field Office Fiscal Division, ASCS U.S. Department of Agriculture, 80, Lafayette Street, New York, New York 10013.

FOR INFORMATIONAL PURPOSES OF UNITED STATES SUPPLIERS ONLY

The importing country has advised FAS that purchase under this authorization will be made by:

The Vanaspati Manufacturers Association of India, India House, Bombay, India.

Inquiries with respect to the authorization may be directed to the Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. (Telephone: DUDley 8-6463 or DUDley 8-6474).

ANNEXURE V—To PUBLIC NOTICE No. 96-ITC(PN)/64 DATED 1-12-1964

FAS FORM 480—A (OCEAN TRANSPORTATION)	COUNTRY India
(2.1.60) FOREIGN AGRICULTURAL SERVICE U. S. DEPARTMENT OF AGRICULTURE WASHINGTON 25, D.C.	OCEAN TRANSPORTATION AUTHORIZATION NO. 39—131—OT
AUTHORIZATION TO PROCURE OCEAN TRANSPORTATION	AGREEMENT DATE September 30, 1964
(TITLE 1, P. L. 480)	
BASED ON APPLICATION NO. 39—131—A	DATED October 9, 1964
	AUTHORIZED AMOUNT \$ 9,00,000
COMMODITY	DELIVERY PERIOD
Cottonseed Oil and/or Soybean Oil	FROM OCT 26 1964
	TO April 30, 1965 (incl.)

The importing country is hereby authorized to procure ocean transportation, subject to the provisions of the Regulations governing the Financing of Commercial Sales of Surplus Agricultural Commodities for Foreign Currencies (24 Federal Register 8825) and any amendments thereto in effect on the date hereof, and subject to the terms, conditions, and special provisions specified herein or attached hereto.

1. Commodity Credit Corporation will reimburse under this authorization upto the amount indicated above and for the dollar cost of ocean transportation of the tonnage of the above named commodity which is covered by the maximum quantity figures shown on Forms CCC-106 bearing the number of this authorization and which is shipped on the vessels named in such forms. Such reimbursement will be made upon submission to the Fiscal Division, CSS, U.S. Department of Agriculture, Washington 25, D.C. of the documents required under Section 11.9(b) of the Regulations.

2. This authorization is based on application number shown above. The representations, assurances, and conditions set forth in that application are incorporated herein.

3. Special Provisions:

- (a) Adjustment Refunds: Suppliers shall report all adjustment refunds to the Controller, CCC. Upon demand by CCC the importing country shall pay to CCC an amount in dollars equal to the dollar value of such adjustment refunds. CCC will refund foreign currency by the method provided for in Section 11.4(d)(9)(ii) of the Regulations.
- (b) Deposit of Foreign Currency: The amount of Indian rupees to be deposited by the Government of India with the United States Disbursing Officer, United States Embassy, New Delhi, India, shall be equivalent to the dollar value of the ocean transportation costs reimbursed by the Government of the United States converted into Indian rupees at the rate for dollar exchange applicable to commercial import transactions on the date of dollar disbursements. Deposits shall be made in accordance with Section 11.4(d)(10) of the Regulations. The documentation to be furnished to the United States Disbursing Officer for each deposit shall be in duplicate.
- (c) Additional Documentation: In addition to the information required by Section 11.9 (b) (3) of the Regulations to be shown on the supplier's detailed invoice, such invoice shall contain the following typed or stamped certification executed by the supplier: "The undersigned hereby certifies that the vessel named herein and for which the cost of ocean freight is claimed, qualifies as a privately-owned United

States-flag commercial vessel within the requirements of Public Law 87-266 and is an eligible U.S.-flag vessel for the purposes of Public Law 664".

- (d) Financing: The cost of lighterage and/or lightening at discharge ports will not be eligible for CCC financing.

SIGNATURE FOR THE ADMINISTRATOR, FOREIGN AGRICULTURAL SERVICE, U. S. DEPARTMENT OF AGRICULTURE. Sd/-	DATE OF ORIGINAL AUTHORIZATION OCT 19 1964
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ACCEPTANCE OF THE IMPORTING COUNTRY

This authorization is hereby accepted.

FOR THE GOVERNMENT OF INDIA	BY AUTHORIZED SIGNATURE	DATE OCT 19 1964
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P. SABANAYAGAM,
Chief Controller of Imports & Exports.

